

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRANK J. NAPOLITANO, JR.

Plaintiff,

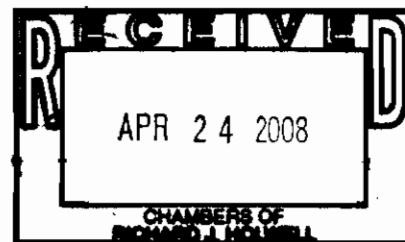
-VS.-

TOWN SPORTS INTERNATIONAL  
HOLDINGS, INC. and TOWN SPORTS  
INTERNATIONAL, INC.,

**Defendants.**

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/30/08

Civil Action No. 07-6125 (RJH)



### **Stipulation of Voluntary Dismissal**


WHEREAS, Town Sports International, Inc. has been dismissed from this case by order of the United States District Court for the Eastern District of Pennsylvania, 2007 U.S. Dist. LEXIS 37864, May 23, 2007, and the remaining parties have agreed to settle and compromise this action; now

IT IS HEREBY STIPULATED AND AGREED, that this action is hereby dismissed with prejudice in accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), without costs or disbursements to either party.

Dated: New York, New York  
April 15, 2008

Philadelphia, Pennsylvania  
April 21, 2008

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**SO ORDERED:**

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U.S.D.I.  
4/128/85

The Club is requested  
to close their case